



SPILL MANAGEMENT AND REPORTING POLICY

I. CONTAINMENT AND CLEANUP

All releases or spills of hazardous or deleterious substances or other wastes, regardless of size, must be properly and expeditiously managed, contained, and removed to protect public health and the environment. This policy is written to provide guidance to the public about when and how to report spills. This policy is intended to assist in the implementation of the following Montana laws and the administrative rules adopted thereunder: Comprehensive Environmental Cleanup and Responsibility Act (§75-10-701, *et seq.*, MCA); Hazardous Waste Act (§75-10-401, *et seq.*, MCA); Solid Waste Management Act (§75-10-201, *et seq.*, MCA); Underground Storage Tank Act (§75-11-501, *et seq.*, MCA); and the Water Quality Act (§75-5-101, *et seq.*, MCA).

II. DEQ NOTIFICATION REQUIREMENTS

Petroleum releases from regulated above ground (AST) and underground storage tanks (UST) must be reported to the DEQ within 24 hours of being detected as required by ARM 17.56.501. DEQ must be notified of releases of greater than 25 gallons of petroleum from an AST or UST. Petroleum releases less than 25 gallons in volume must be contained and cleaned up within 24 hours. If cleanup cannot be completed within 24 hours, owners and operators must report the release to DEQ. DEQ maintains a leak line for reporting releases from regulated UST and AST facilities at 406-841-5000 or 800-457-0568. After normal business hours releases must be reported to the DES 24-hour phone number (406) 324-4777. Releases must be reported to a live person - voice mails are not adequate notification.

All other releases and spills should be reported immediately to the state's Disaster and Emergency Services (DES) 24-hour phone number (406) 324-4777. If no one can be reached at that number, the release or spill may be reported to the Montana Department of Environmental Quality (DEQ) duty officer at (406) 431-0014. In addition to the following reporting requirements, notification(s) may be required by permits issued by state, federal or local government agencies. **Notification to the National Response Center (NRC) may also be required. NRC can be reached at 800-424-8802. DES and DEQ are not responsible for making this notification.**

A. The following types of spills **must** be reported to DEQ/DES:

- Releases or spills of hazardous substances in amounts that meet or exceed the reportable quantities in 40 CFR Part 302. Notification to DES and NRC is required.
- Spills, overfills, and suspected releases from underground storage tanks and petroleum storage tanks. *ARM 17.56.501, et seq.*
- Releases or spills of any materials that would lower the quality of groundwater below water quality standards. *ARM 17.30.1045.*

B. The following types of spills **should** be reported to DEQ/DES:

- Spills that enter or may enter state water or a drainage that leads directly to surface water;
- Spills that cause sludge or emulsion beneath the surface of the water, streambanks or shorelines;

- Spills that cause a film, "sheen," or change the color of the water, streambanks or shorelines; or
- Spills of twenty-five (25) gallons or more of any petroleum product such as: crude oil, gasoline, diesel fuel, aviation fuel, asphalt, road oil, kerosene, fuel oil; produced water, injection water, or combination thereof; and derivatives of mineral, animal, or vegetable oils.

For additional information:

Montana Department of Environmental Quality

Enforcement Division

Phone (406) 444-0379

Fax (406) 444-1923